

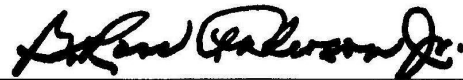
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Sandy Alexander Mickens)	
)	C/A No. 6:05-CV-03002-GRA
Petitioner,)	
)	
v.)	ORDER
)	(Written Opinion)
United States of America,)	
)	
Respondent.)	
_____)	

Petitioner brought this action seeking relief pursuant to 28 U.S.C. § 2255. On December 7, 2005, the government filed a motion for summary judgment. By order of this Court filed December 28, 2005, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), Petitioner was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Despite this explanation, Petitioner did not respond. The Court filed a second order on February 28, 2005, giving Petitioner ten additional days to file a response. The Court's order specifically advised Petitioner that "if he fails to respond, this action will be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)." Petitioner did not respond.

IT IS THEREFORE ORDERED that this action be DISMISSED for lack of prosecution.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

February 22, 2006
Anderson, South Carolina